

FAX COVER SHEET

TO	Commissioner for Patents
COMPANY	USPTO
FAX NUMBER	17033086459
FROM	Andy Arismendi
DATE	2003-10-01 15:11:07 GMT
RE	A/N: 09/269,518

COVER MESSAGE

Retransmittal of fax sent August 18, 2003

Petition under 37 CFR 1.181 (no fee)

Attn: Paralegal Specialist: ~~Name~~, ~~Name~~
Ph: 703-308-6508
57 pages (including fax coversheet)

RECEIVED
01 OCT 2003
Legal Staff
International Division

STATEMENT OF PRACTICE TRANSMISSION
I hereby certify that this correspondence is being deposited in the United States Patent and Trademark Office on this 14th day of August 2005 by facsimile transmission to Commissioner for Patents - P.O. Box 2/150 - Alexandria, VA 223-132-0 for the attention of Examiner HIO Nguyen at telephone number (703) 308-1430.

Signature: 

Printed Name: HIO M. Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

卷之三

David Peter Fenner et al.

APPLICATION NO.: 09/269,518

GROUP ART UNIT: unknown

FILED: 02 April 1999

•

EXAMINER: unknown

TITLE: Fan Rotor

2

ATTY. DKT. NO.: 34703.00006

Box PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR§ 1.181

Dear Sir:

In response to the Request for Status faxed 01 August 2003, referencing the above-identified matter, we received a response from Paralegal Specialist Nguyen Ngoc-Ho mailed 12 August 2003 (Exhibit 1). In said response, Mr. Ho has requested we file a Petition under 37 CFR 1.181 for acceptance of copies of all papers submitted on 30 March 2001 and on 15 June 2001, including evidence of receipt in the Office of these papers. Per telephone conference between Mr. Arismendi and Mr. Ho on 15 August 2003, Mr. Ho indicated that no fees would be due for filing such a petition.

Per such request, we hereby file this Petition for acceptance of true and accurate copies of all papers submitted on 30 March 2001 (Exhibit 2) and on 15 June 2001 (Exhibit 3), including evidence of receipt in the Office of these papers. Such copies are submitted herewith.

Respectfully submitted by,

Date: 18 August 2003

John S. Jr.

A.M. (Andy) Arismendi, Jr.
Reg. No. 31-715

A.M. (Andy) Arismendi, Jr., PC
P.O. Box 35512
Houston, TX 77235-5512
Telephone: 713-256-3773
Facsimile: 281-754-4386

EXHIBIT 1

Response to Status Inquiry mailed 12 August 2003.



12 AUG 2003
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

A.M. Andy Arismendi, Jr.
Post Office Box 35512
Houston, Texas 77235-5512

Dear Mr. Arismendi:

This is in response to your letter received 01 August 2003 inquiring about the status of the Response to the Notification of Missing Requirements in U.S. patent application 09/269,518 filed by facsimile on 30 March 2001 and by "Express Mail" on 15 June 2001. A review of the application file indicates that both submissions mentioned above are not matched with the file at this time. Should prosecution of the application be desired, applicant should file a Petition under 37 CFR 1.181 for acceptance of copies of all the papers submitted on 30 March 2001 and on 15 June 2001, including evidence of receipt in the Office of these papers. The papers should be accompanied by a statement from the attorney that the copies submitted with the petition are true copies of what was filed and of the postcard as returned by the USPTO. The Petition may be filed by facsimile to the PCT Legal Office at (703) 308-6459.

Sincerely,

Nguyễn Ngọc-Hô
Paralegal Specialist
PCT Legal Office

Tel: (703) 308-6508

EXHIBIT 2

Papers submitted 30 March 2001 with Transmission Verification Report:

1. Transmission Verification Report
2. Fax Coversheet
3. Communication of 30 March 2001 to Lamont Hunter (National Stage Processing) with following attachments:
 - I. Notification of Missing Requirements mailed 01 June 1999
 - II. Response to Notice to File Missing Parts of Application (Express Mail EL 357 877 986 US).
 - A. Declaration & Power of Attorney
 - B. Statement Claiming Small Entity Status
 - C. Check for \$65.00
 - D. Return Postcard
 - III. Petition to Withdraw Holding of Abandonment with following attachments:
 - A. Notification of Missing Requirements mailed 01 June 1999
 - B. Notification of Defective Oath or Declaration mailed 01 June 1999
 - C. Response to Notice to File Missing Parts of Application (Express Mail EL 357 877 986 US).
 - D. Copy of Return Postcard
 - E. Copy of letter transferring case from Jenkens & Gilchrist to Mr. Arismendi
 - F. Notice of Abandonment
 - G. Copy of docket report printed 22 July 1999.
 - IV. Copy of return postcard for petition to withdraw holding of abandonment
 - V. Decision on Petition to Withdraw Holding of Abandonment
 - VI. Notification of Missing Requirements mailed 15 March 2001
 - VII. Revocation of Powers of Attorney and New Power of Attorney

ACKNOWLEDGMENT OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited in the United States Patent and Trademark Office on this date, March 30, 2001, by facsimile transmission to the attention of Lamont Hunter of the National Stage Processing department at facsimile number (713) 305-3230.

Signature 
Printed Name: Susan B. Jensen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**IN RE APPLICATION OF**

David FENNER, et al.

APPLICATION NO.: 09/269,518

FILED: April 9, 1998

TITLE: Fan Rotor

GROUP ART UNIT: unknown

EXAMINER: unknown

ATTY. DKT. NO.: 34703.00006

Box PCT
Commissioner for Patents
Washington, D.C. 20231

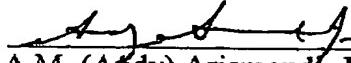
ATTN: National Stage Processing: Lamont Hunter

Dear Sir:

Per your telephone conversation with Susan Jensen of our office referencing the above-identified matter, enclosed are true and accurate copies of the Response to the Notification of Missing Requirements dated June 1, 1999, Petition to Withdraw Holding of Abandonment, Decision (Granted) on Petition to Withdraw Holding of Abandonment, the most recent Notification of Missing Requirements, and our Power of Attorney.

Should you have any questions or require additional information, please feel free to contact me at (713) 652-2555.

Respectfully submitted by,

Date: March 30, 2001
A.M. (Andy) Arismendi, Jr.
Reg. No. 31,715

A.M. (Andy) Arismendi, Jr.
Lundeen & Arismendi, LLP
P.O. Box 131144
Houston, TX 77219-1144
Telephone: 713-652-2555
Facsimile: 713-652-2556

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Fenner, et al.

) Group Art Unit:

Application No. **09/296,518**

) Examiner: (unassigned)

Filed: April 2, 1999

Title: **FAN ROTOR**

Attorney Docket No. **34703.00006**

EL357877986US

Assistant Commissioner for Patents
•BOX PCT
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

**CERTIFICATE OF MAILING BY EXPRESS MAIL
UNDER 37 CFR 1.10**

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office-to-Addressee" service, "EXPRESS MAIL" Mailing Label No. **EL357877986US** on the date indicated below and is addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: July 1, 1999

ALAN R. THIELE, Registration No. 30,694

Attorney or Agent



Signature

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

Sir:

This reply is to a Notification of Missing Requirements under 35 U.S.C. 371-(PCT/DO/EO/905) mailed June 1, 1999. A copy of the Notice is enclosed.

Below is a Statement by the undersigned registered agent that the application filed in the PCT is the application which the inventor executed by signing the attached Declaration.

I. DECLARATION OR OATH

A Declaration was filed with the original application but was not executed. Enclosed is a Declaration (with original signatures) for this application.

II. SMALL ENTITY STATUS

A Verified Statement that this filing is by a small entity was filed with the original application but not executed. Enclosed is a signed Verified Statement by the assignee for this application. A copy of the Assignment is also enclosed.

III. COMPLETION FEES

Surcharge fees: Late filing of original Declaration or Oath per 37 C.F.R. §1.16(e) - \$130.00; small entity - \$65.00. Total completion fees is \$65.00.

IV. EXTENSION OF TIME

An extension of time for the filing of this completion document is not required.

V. TOTAL FEES DUE

Completion fee	\$65.00
Extension Fee (if any)	<u>\$ 0.00</u>
Total fees due	<u>\$65.00</u>

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

VI. PAYMENT OF FEES

Enclosed is a check in the amount of \$65.00 to cover Completion and Extension Fees.

VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper during the pendency of this application to Account No. 10-0447

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation

July 1, 1999

Date

Alan R. Thiele
Reg. No. 30,694
Patent Attorney
Tele: (Voice) (210) 246-5657
 (Facsimile) (210) 246-5999

**STATEMENT BY AGENT THAT APPLICATION FILED
IN PATENT & TRADEMARK OFFICE IS THE ONE
INVENTOR EXECUTED BY SIGNING DECLARATION**

I hereby state that I am an agent for this application and that the application identified above is the application which the inventor executed by signing the Declaration that is being submitted herewith.

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation

W. R. White

Alan R. Thiele, Reg. No. 30,694



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/269, 518		FENNER	D 34703-00006
		INTERNATIONAL APPLICATION NO.	
		PCT/GB97/02940	
		I.A. FILING DATE	PRIORITY DATE
		10/27/97	10/03/96
		DATE MAILED: 06/01/99	

ALAN R THIELE
JENKENS & GILCHRIST
3200 FOUNTAIN PLACE
1445 ROSS AVENUE
DALLAS TX 75202

5611

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
 a Designated Office (37 CFR 1.494),
 an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.
 Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.
 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed 06 Apr 1999 and _____ * DOCKETED
 Information Disclosure Statement(s) filed _____ and _____ Int. No. DT: 6-7-99
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____.
 Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the International Search Report and copies of the references cited therein.
 Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875
 FORM PCT/DO/EO/905 (December 1997)

[Signature]
Telephone: (703) 305-3686

LUNDEEN & ARISMENDI, LLP
P.O. Box 131144
Houston, Texas 77219-1144
Phone: (713) 652-2555 Facsimile (713) 652-2556

F A C S I M I L E

DATE: March 30, 2001 **CLIENT/MATTER#** _____

DISPOSITION: Normal X **TIME:** 3:15 pm
RUSH _____

NUMBER OF PAGES: (Including Cover Sheet): 45

FROM: A.M. (Andy) Arismendi, Jr.

TO: Lamont Hunter

THIS FACSIMILE TRANSMISSION MAY CONTAIN INFORMATION WHICH IS PRIVILEGED, OR OTHERWISE CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, USE, OR DISSEMINATION OF THIS INFORMATION IS IMPROPER AND PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, KINDLY CALL THE SENDER COLLECT TO ARRANGE FOR ITS RETURN.

FACSIMILE NUMBER CALLED: 703 305 3230

DOCUMENTS SENT: _____

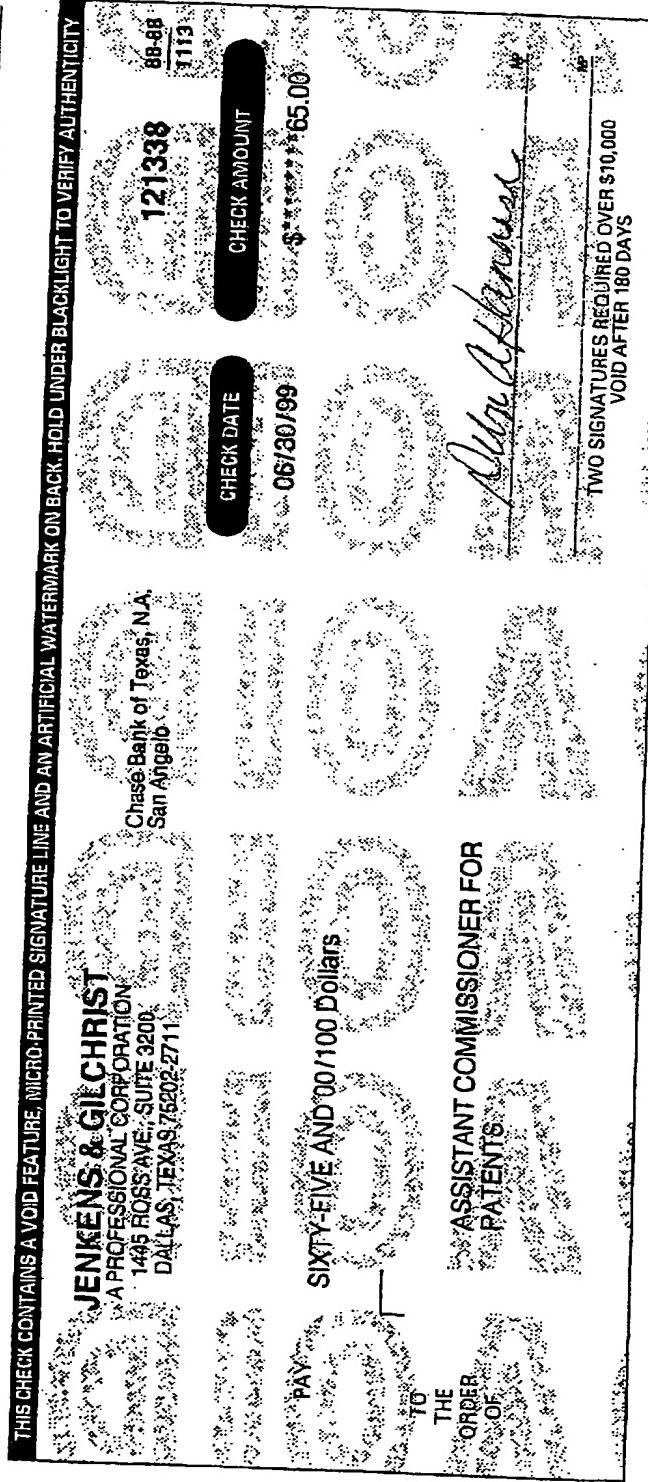
ADDITIONAL MESSAGE OR COMMENTS: _____

FACSIMILE SENT BY: Susan B. Jensen

If you do not receive all pages or if pages are not legible,
please contact the above at (713) 652-2555.

No. 121338

DATE	INVOICE	DESCRIPTION	AMOUNT
07-01-99	34703 6/THIELE	DECLARATION FEE FOR OATH OR STATEMENT	65.00
		TOTAL	65.00



CAMP OF THE PATENT OFFICE, PLACED HE. N.

OWLEDGES RECEIPT OF:

Applicant: David Fenner, et al.

Attorney/Agent: Alvin Z. Thiele
Bar No. 03121550

Serial No.: 09/269517
Date Mailed: 7/1/89

Date Mailed: 7/1/99

Block No.: 34703-00006

Due: 7/1/90

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Affidavit or <input checked="" type="checkbox"/> Declaration | <input type="checkbox"/> Amendment/Response To Office Action |
| <input type="checkbox"/> Application for Patent Including _____ pages spec., _____ pages claims | <input type="checkbox"/> Brief, _____ copies |
| <input checked="" type="checkbox"/> Declaration or <input checked="" type="checkbox"/> Oath w/Power of Attorney | <input type="checkbox"/> Assignment, check for \$ _____ |
| <input type="checkbox"/> Application for Intent-To-Use TM/SM | <input type="checkbox"/> Assignment Recordation Cover Sheet |
| <input type="checkbox"/> Application for TM/SM Reg. w/specimens | <input type="checkbox"/> Power of Attorney by Assignee |
| <input checked="" type="checkbox"/> Certificate of Express Mail 37 CFR 1.10
Express Mail No. <u>F1357377986US</u> | <input type="checkbox"/> Certificate of Mailing Under 37 CFR 1.8(a) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Declaration of Attorney |
| <input type="checkbox"/> PTO Form 1449, _____ references | <input type="checkbox"/> Drawings: _____ sheets
[] Formal or [] Informal |
| <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Reg. for Filing <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional
Application Under 37 CR 1.60 | <input type="checkbox"/> Notice of Appeal |
| <input checked="" type="checkbox"/> Verified Statement to Establish Small Entity Status | <input type="checkbox"/> Petition for Extension of Time () months
[] with check for \$ _____ |
| <input type="checkbox"/> Postcard | <input type="checkbox"/> Priority Document |
| <input checked="" type="checkbox"/> Check for \$ <u>65.00</u> | <input checked="" type="checkbox"/> Transmittal Letter |
| | <input type="checkbox"/> Other: _____ |

L357877986US		 EXPRESS MAIL	* L357877986US *	
UNITED STATES POSTAL SERVICE™ COMMERCIAL MAIL IDENTIFICATION NUMBER 240				
POST OFFICE TO ADDRESSEE				
GIM (POSTAL USE ONLY):				
IP Code <i>7-000</i>	Day of Delivery <input checked="" type="checkbox"/> Next Day <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	Postage <i>1175</i>	
In <i>IS 13</i>	12 Noon <input type="checkbox"/> 3 P.M. <input checked="" type="checkbox"/>	Postage <i>1175</i>	Return Receipt Fee	
Delivery Month <i>JULY</i>	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	COD Fee <i>0.00</i>	Insurance Fee <i>0.00</i>	Total Postage & Fees <i>1175</i>
Delivery Day <i>TUESDAY</i>	MTL Alpha, Country, Code <i>30000</i>			
Delivery Month <i>JULY</i>	Acceptance Clerk/Initials <i>Clark/Hilfis</i>			
COURIER USE ONLY				
METHOD OF PAYMENT: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Credit Card <input type="checkbox"/> Corp Acct <input type="checkbox"/> Corp Acct No.				
Agency Acct No.: <i>05</i> Service Acct No.: <i>00000000000000000000000000000000</i>				
FROM: PLEASE PRINT: <i>JENKINS & GILCHRIST</i> PHONE: <i>1</i>				
JENKINS & GILCHRIST 1800 FROST BANK TOWER 100 W HOUSTON ST SAN ANTONIO, TX 78205-1452				
TO: PLEASE PRINT: <i>ASSISTANT COMMISSIONER FOR PATENTS</i> PHONE: <i>1</i>				
ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231				
PRESS HARD. We are making 3 copies.				
FOR PICKUP OR TRACKING CALL 1-800-222-1811 WWW.USPS.COM				

Customer Copy
Label 11-F July 1997

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND TERMS
ON INSURANCE COVERAGE



INTELLECTUAL PROPERTY

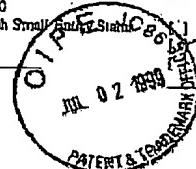
JUL 19 1999

JENKENS & GILCHRIST

THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Applicant: David Fricker et al.
Attorney/Agent: Alan J. Thiele
Serial No.: 09/269,513 Atty. Docket No.: 34703-00006
Date Mailed: 7/1/99 Due: 7/1/99

- Affidavit or Declaration
 Application for Patent including _____ pages spec., _____ pages claims
 Declaration or Oath w/Power of Attorney
 Application for Intent-To-Use TM/SIM
 Application for TM/SIM Reg. w/specimens
 Certificate of Express Mail 37 CFR 1.10
Express Mail No. 1235737798645
 Information Disclosure Statement
 PTO Form 1449, _____ references
 Power of Attorney
 Reg. for Filing Continuation Divisional
Application Under 37 CR 1.60
 Verified Statement to Establish Small Entity Status
 Postcard
 Check for \$ 65.00
- Amendment/Response To Office Action
 Brief, _____ copies
 Assignment, check for \$ _____
 Assignment Recodification Cover Sheet
 Power of Attorney by Assignee
 Certificate of Mailing Under 37 CFR 1.8(a)
 Declaration of Attorney
 Drawings: _____ sheets
 Formal or Informal
 Issue Fee Transmittal
 Notice of Appeal
 Petition for Extension of Time (____) months
 with check for \$ _____
 Priority Document
 Transmittal Letter
 Other: _____



* DOCKETED
Int: K11 DT: 7-21-99

Action: COMPLETED Date: 7-2

Small Entity
Missing Pats.

Express Mail Label No. EL 596 200 659 US**Practitioner's Docket No. 34703.00006****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

David FENNER, et al.

EL 596 200 659 US

Application No. 09/269,518

Group No. (Unknown)

Filed: April 2, 1999

Examiner: (Unknown)

For: Fan Rotor

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: PCT Legal Department

Dear Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Applicants request withdrawal of the holding of abandonment of the above-identified application based on fact that a response to the notification of Missing Requirements (Form PCT/DO/BO/905) was filed on July 1, 1999.

CERTIFICATION OF EXPRESS MAILING

I hereby certify that this Petition to Withdraw Holding of Abandonment and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, July 3, 2000, in an envelope at "Express Mail Post Office to Addressee," mailing Label Number EL 596 200 659 US, addressed to the: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, Attn: PCT Legal Department.

A. M. (Andy) Arismendi, Jr.
(type or print name of person mailing paper)


Signature of person mailing paper

Express Mail Label No. EL 596 200 659 US

The application was filed April 2, 1999 by Mr. Alan Thiele of Jenkens & Gilchrist.

On June 1, 1999, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed from the USPTO (copy attached as "A").

On June 7, 1999, it was received by Jenkens & Gilchrist in its Dallas office together with a Notification of Defective Oath or Declaration (Form PCT/DO/EO/917) (copy attached as "B").

On July 1, 1999, Mr. Thiele filed a response (copy attached as "C") to the notification of Missing Requirements together with the executed declaration and the completion fee. This response was filed by Express Mail. A copy of the return postcard (received by Jenkens & Gilchrist on July 19, 1999) is also included herewith as "D".

On July 27, 1999, this case was transferred from Jenkens & Gilchrist to Mr. Arismendi for further prosecution on instructions of the client. (Copy of the transfer letter attached as "E".)

On March 27, 2000, the Notification of Abandonment (Copy attached as "F") was mailed to the Dallas office of Jenkens & Gilchrist.

On March 30, 2000, it was received by Jenkens & Gilchrist in Dallas.

On June 27, 2000, it was forwarded to Mr. Arismendi.

On June 30, 2000, it was received by Mr. Arismendi.

On July 3, 2000, Mr. Arismendi filed this Petition.

A copy of the docket report printed on July 22, 1999 (copy attached as "G") reflects the filing of the response to the notice to file missing parts (i.e., notification of Missing Requirements) on July 1, 1999.

Accordingly, in view of the foregoing and the fact that a response was timely filed, Applicants respectfully request that the holding of abandonment be withdrawn.

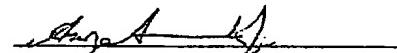
Express Mail Label No. EL 596 200 659 US**CHANGE OF CORRESPONDENCE ADDRESS**

Please send all correspondence to:

A.M. (Andy) Arismendi, Jr.
Lundeen & Arsimendi, LLP
P.O. Box 131144
Houston, Texas 77219-1144

Ph: 713-652-2555
Fax: 713-652-2556

Respectfully submitted,



A.M. (Andy) Arismendi, Jr.
Reg. No. 31,715

Lundeen & Arsimendi, LLP
P.O. Box 131144
Houston, Texas 77219-1144

Ph: 713-652-2555
Fax: 713-652-2556

Date: July 3, 2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/269,518		FENNER	D 34703-00006
		INTERNATIONAL APPLICATION NO.	
		PCT/GB97/02940	
		I.A. FILING DATE	PRIORITY DATE
		10/27/97	10/03/96
		DATE MAILED: 06/01/99	

5611

ALAN R THIELE
JENKENS & GILCHRIST
3200 FOUNTAIN PLACE
1445 ROSS AVENUE
DALLAS TX 75202

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
- Copy of the International application in:
 - a non-English language.
 - English.
- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed 09 Apr 1999 and _____ * DOCKETED
- Information Disclosure Statement(s) filed _____ and _____ INT. 111 DT: 6-7-99
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed _____.
- Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report and copies of the references cited therein.
- Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/BO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.13(e)(a).

INTELLECTUAL PROPERTY

JUN 07 1999

JENKENS & GILCHRIST

* DOCKETED
INT. 111 DT: 6-7-99
Action Complete Date: 6-1

Missing Parts due 7-1-99

9/26/97



Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/269,518	FENNER	D 34703-00006
5611 ALAN R THIELE JENKENS & GILCHRIST 3200 FOUNTAIN PLACE 1445 ROSS AVENUE DALLAS TX 75202		INTERNATIONAL APPLICATION NO.
INTELLECTUAL PROPERTY JUN 07 1999 JENKENS & GILCHRIST		PCT/GB97/02940
		I.A. FILING DATE PRIORITY DATE
		10/27/97 10/03/96 06/01/99
DATE MAILED:		

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. does not identify the specification to which it is directed.
3. does not identify the inventor(s).
4. does not identify the citizenship of each inventor.
5. does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. does not identify the city and state or city and foreign country of residence of each inventor.
2. does not state that the person making the oath or declaration:
 - a. has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Fenner, et al.) Group Art Unit:
)
Application No. 09/296,518)
)
Filed: April 2, 1999) Examiner: (unassigned)
)
Title: FAN ROTOR)
Attorney Docket No. 34703. 00006)

EL357877986US

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

**CERTIFICATE OF MAILING BY EXPRESS MAIL
UNDER 37 CFR 1.10**

I hereby certify that this paper or file is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service, "EXPRESS MAIL" Mailing Label No. EL357877986US on the date indicated below and is addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: July 1, 1999

ALAN R. STITH, Reg. Serial No. 30694

Attorney or Agent

Alan R. Stith
Signature

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

Sir:

This reply is to a Notification of Missing Requirements under 35 U.S.C. 371-(PCT/DO/EO/905) mailed June 1, 1999. A copy of the Notice is enclosed.

Below is a Statement by the undersigned registered agent that the application filed in the PCT is the application which the inventor executed by signing the attached Declaration.

I. DECLARATION OR OATH

A Declaration was filed with the original application but was not executed. Enclosed is a Declaration (with original signatures) for this application.

II. SMALL ENTITY STATUS

A Verified Statement that this filing is by a small entity was filed with the original application but not executed. Enclosed is a signed Verified Statement by the assignee for this application. A copy of the Assignment is also enclosed.

III. COMPLETION FEES

Surcharge fees: Late filing of original Declaration or Oath per 37 C.F.R. §1.16(e) - \$130.00; small entity - \$65.00. Total completion fees is \$65.00.

IV. EXTENSION OF TIME

An extension of time for the filing of this completion document is not required.

V. TOTAL FEES DUE

Completion fee	\$65.00
Extension Fee (if any)	<u>\$ 0.00</u>
Total fees due	<u>\$65.00</u>

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

VI. PAYMENT OF FEES

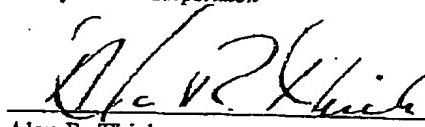
Enclosed is a check in the amount of \$65.00 to cover Completion and Extension Fees.

VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper during the pendency of this application to Account No. 10-0447.

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation

July 1, 1999
Date



Alan R. Thiele
Reg. No. 30,694
Patent Attorney
Tele: (Voice) (210) 246-5657
(Facsimile) (210) 246-5999

**STATEMENT BY AGENT THAT APPLICATION FILED
IN PATENT & TRADEMARK OFFICE IS THE ONE
INVENTOR EXECUTED BY SIGNING DECLARATION**

I hereby state that I am an agent for this application and that the application identified above is the application which the inventor executed by signing the Declaration that is being submitted herewith.

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation



Alan R. Thiele, Reg. No. 30,694

DOCKET NO.: 34703.00006

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type: National Stage of PCT.

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: FAN ROTOR, the specification of which:

X is attached hereto.

— was filed on _____ as PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Country: Great Britain
Application No.: 9622361.5
Filed: 28 October 1996

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT International application (s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or prior PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which occurred between

the filing date of the prior application and the national or PCT international filing date of this application:

PCT INTERNATIONAL APPLICATION

Application No. Filed

PCT/GB97/02940 27 October 1997

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

JEFFERY E. BACON Reg. No. 35,055
THOMAS L. CANTRELL Reg. No. 20,849
THOMAS L. CRISMAN Reg. No. 24,846
STUART D. DWORK Reg. No. 31,103
H. MATHEWS GARLAND Reg. No. 19,129
J. KEVIN GRAY Reg. No. 37,141
STEVEN R. GREENFIELD Reg. No. 38,166
KEVIN HANSBRO Reg. No. 38,485
PAT HEPTIG Reg. No. 40,643
CRAIG A. HOERSTEN Reg. No. 38,917
JOHN R. KIRK JR. Reg. No. 24,477
PETER J. MANSO Reg. No. 32,264
ROGER L. MAXWELL Reg. No. 31,855
ROBERT A. McFALL Reg. No. 28,968
LISA H. MEYERHOFF Reg. No. 36,869
STANLEY R. MOORE Reg. No. 26,958
RICHARD J. MOURA Reg. No. 34,883
MARK V. MULLER Reg. No. 37,509
P. WESTON MUSSELMAN JR. Reg. No. 31,644
ALAN R. THIELE Reg. No. 30,694
TAMSEN VALOIR Reg. No. 41,417
RAYMOND VAN DYKE Reg. No. 34,746
BRIAN D. WALKER Reg. No. 37,751
GERALD T. WELCH Reg. No. 30,332

of the firm of JENKENS & GILCHRIST, P.C., 3200 Fountain Place, 1445 Ross Avenue,
Dallas, Texas 75202-2799

and

Address all telephone calls and correspondence to:

Alan R. Thiele
Jenkens & Gilchrist, P.C.
3200 Fountain Place
1445 Ross Avenue
Dallas, Texas 75202-2799
Telephone: (210) 246-5657
Facsimile: (210) 246-5999

Atty. Docket No. 34703.00006

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	David Fenner	<i>David Fenner</i>	25/5/99
	First Name	Inventor's Signature	Date
1	Beeches, Durley Brook Road, Durley Southampton, Hampshire, SO32 2AR UK	Citizenship	
	Residence		
	Post Office Address	As Above	
	Christopher Lack	<i>Christopher Lack</i>	25/5/99
	Full Name	Inventor's Signature	Date
2	64 Woodham Park Road, Woodham Nr. Weybridge, Surrey, KT15 3SP UK	Citizenship	
	Residence		
	Post Office Address	As Above	



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.28(e))—SMALL BUSINESS CONCERN**

Socket Number (Optional)
34703-00006

Applicant, Patentee, or Identifier: David Fenner, et al.

Application or Patent No.: 09/269,518

Filed or Issued: April 2, 1999

Title: FAN ROTOR

I hereby state that I am:

- the owner of the small business concern identified below.
- an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Elta Fans Limited

ADDRESS OF SMALL BUSINESS CONCERN 15 Barnes Wallis Road, Segensworth
East Industrial Estate, Fareham, Hants PO155BT

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- the specification filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.

each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING David Peter Fenner

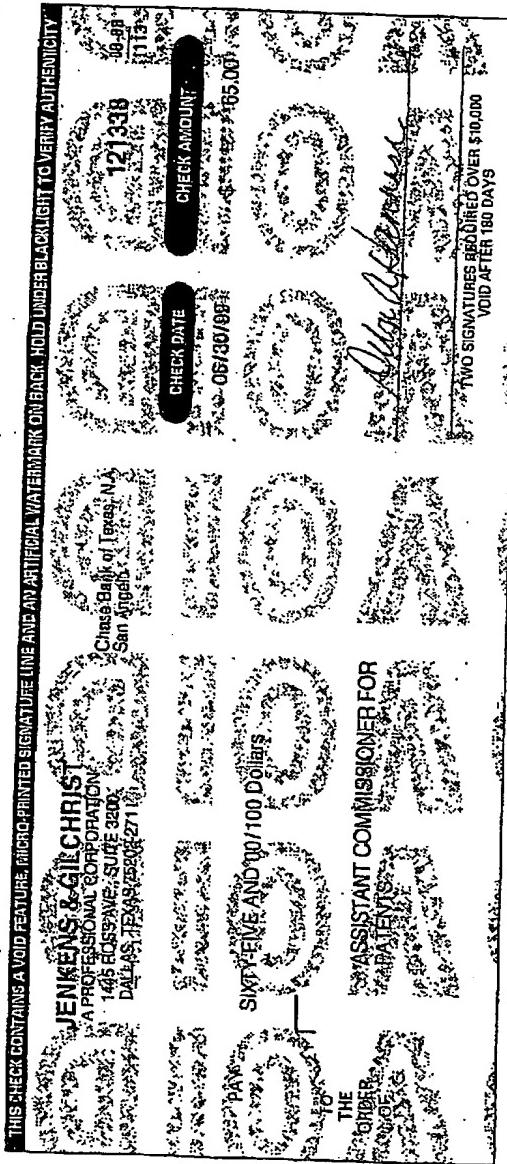
TITLE OF PERSON IF OTHER THAN OWNER Engineering Director

ADDRESS OF PERSON SIGNING Beeches, Durley Brook Road, Durley, Southampton
Hants, SO32 2AR U.K.

SIGNATURE David Peter Fenner DATE 25-5-99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

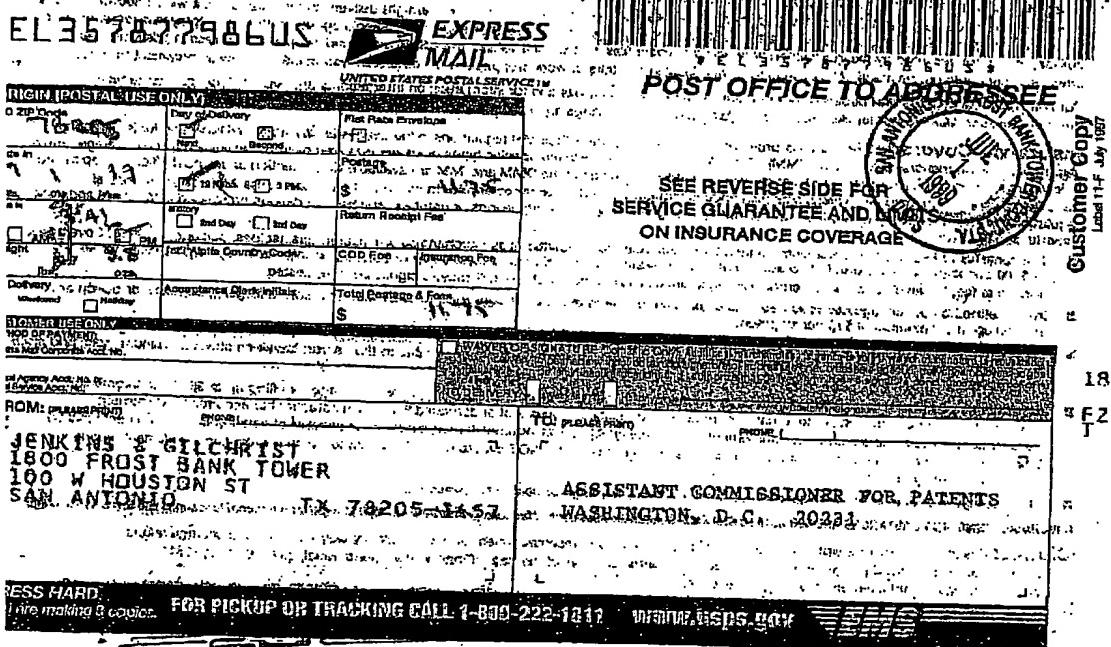
Jenkens & Gilchrist



RECEIPT OF THE PATENT OFFICE, PLACED HEREON ACKNOWLEDGES RECEIPT OF:

Applicant: David Fenner et.al.
 Attorney/Agent: Alvarez & Twile
 Serial No.: 09/269307 Atty. Docket No.: 34703-0000
 Date Mailed: 7/1/99 Due: 7/1/99

- Affidavit or Declaration
 Application for Patent including _____ pages spec., _____ pages claims
 Declaration or Oath w/Power of Attorney
 Application for Intent-To-Use TMSM
 Application for TM/SM Reg. w/specimens
 Certificate of Express Mail 37 CFR 1.10
 Express Mail No. E1357877936US
 Information Disclosure Statement
 PTO Form 1449, _____ references
 Power of Attorney
 Reg. for Filing Continuation Divisional
 Application Under 37 CR 1.60
 Verified Statement to Establish Small Entity Status
 Postcard
 Check for \$ 65.00
- Amendment/Response To Office Action
 Brief, _____ copied
 Assignment, check for \$ _____
 Assignments Recordation Cover Sheet
 Power of Attorney by Assignee
 Certificate of Mailing Under 37 CFR 1.8(a)
 Declaration of Attorney
 Drawings: _____ sheets
 Form or Informal
 Issue Fee Transmittal
 Notice of Appeal
 Petition for Extension of Time (____) months
 with check for \$ _____
 Priority Document
 Transmittal Letter
 Other: _____



(D)

INTELLECTUAL PROPERTY

JUL 19 1999

JENKENS & GILCHRIST

THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Applicant: David Fenner, et al.
Attorney/Agent: Adam B. Tingle
Serial No.: 09/209,518 Atty. Docket No.: 34703-00000
Date Mailed: 7/1/99 Due: 7/1/99

- Affidavit or Declaration
 Application for Patent including _____
____ pages spec., _____ pages claims
 Declaration or Oath w/Power of Attorney
 Application for Intent-To-Use TM/SIM
 Application for TM/SIM Reg. w/specimens
 Certificate of Express Mail 37 CFR 1.10
Express Mail No. F655787798605
 Information Disclosure Statement
 PTO Form 1449, _____ references
 Power of Attorney
 Reg. for Filing Continuation Divisional
Application Under 37 CR 1.60
 Verified Statement to Establish Small Entity Status
 Postcard
 Check for \$ 65.00
- Amendment/Response To Office Action
 Brief, _____ copies
 Assignment, check for \$ _____
 Assignment Recordation Cover Sheet
 Power of Attorney by Assignee
 Certificate of Mailing Under 37 CFR 1.8(a)
 Declaration of Attorney
 Drawings: _____ sheets
 Formal or Informal
 Issue Fee Transmittal
 Notice of Appeal
 Petition for Extension of Time (____) months
 with check for \$ _____
 Priority Document
 Transmittal Letter
 Other: _____



* DOCKETED
Int: K11 DT: 7-21-99

Action: Complete Date: 7-2

Small Entity
Missing Party

Jenkens & Gilchrist
A PROFESSIONAL CORPORATION

1800 FROST BANK TOWER
100 WEST HOUSTON STREET
SAN ANTONIO, TEXAS 78205

(210) 246-5000
TELECOPIER (210) 246-5999
WWW.JENKENS.COM

WRITER'S DIRECT DIAL NUMBER
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(214) 525-5200
HOUSTON, TEXAS
(713) 637-5200
LOS ANGELES, CALIFORNIA
(213) 822-4400
WASHINGTON, D.C.
(202) 226-1500
Atlanta, GA
Chicago, IL
(312) 425-5900

July 27, 1999

VIA LONE STAR OVERNIGHT

Mr. Andy M. Arismendi, Jr.
Sroufe, Payne, Lundein & D'Ambrosio, LLP
1700 West Loop Street
Suite 1230
Houston, Texas 77027

Re: Transfer of Withers & Rogers Files

Dear Mr. Arismendi:

Enclosed, in accordance with Withers & Rogers request dated July 15, 1999, are the patent files which are listed as follows:

J&G REF. No.	DESCRIPTION	STATUS
34703-00002	PCT No. PCT/GB96/01965; U.S. Serial No. 09/011484 Filed: 02/10/97 Title: <i>Fluid Impeller</i>	Waiting for Notice to File Missing Parts
34703-00006	PCT No. PCT/GB97/02940; U.S. Serial No.: 09/269518 Filed: 04/02/99 Title: <i>Fan Rotor</i>	IDS is now due; Waiting for Notice to File Missing Parts

Along with the files, I have attached an Acknowledgment of Receipt. Please sign and return the Acknowledgment of Receipt at your earliest convenience.

Cordially,

Lisa Gentry,
Legal Secretary to Alan R. Thiele

09/269518



UNITED STATES GOVERNMENT COMMERCE
 Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 BOX PCT
 Washington, D.C. 20231

US APPLICATION NO. 918

FENN FIRST NAMED APPLICANT

ATTY. DOCKET NO. -000016

ALAIN R THIELE 5071
 JENKENS & GILCHRIST INTELLECTUAL PROPERTY
 3200 FOUNTAIN PLACE MAR 30 2000
 1445 ROSS AVENUE JENKENS & GILCHRIST
 DALLAS TX 75202

INTERNATIONAL APPLICATION NO. 940

IA. FILED DATE 7/27 PRIORITY DATE 3/3/96

03/27/00

DATE MAILED:

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as
 a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495), has made the following determination:

1. Applicant's letter of express abandonment received _____ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
2. Applicant has failed to provide the full U. S. Basic National Fee by 20 months (37 CFR 1.494 (b)(2)), 30 months (37 CFR 1.495 (b)(2)).
3. Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/BO/905), mailed 01 JUNE 1999 within the time period set therein.
4. Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
5. Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.494, 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

Asstent-Hanor
 Financial Staff Processor
 (703) 555-XXXX

Telephone: (703)

Patent Record Summary Sheet

As Of : 07-22-1999 11:57:53 Printed : 07-22-1999

Created : 03/17/1989 Last Updt : 07/21/1999 By : KKH

Docket# : 34703-00006USPX	Country : US	Client : WAR - Withers & Rogers
Case Type : Regular		Owner : INVT - INVENTORS/APPLICANTS
Relationship : Original Filing	Status : 200/300 - Filed	Group :
Filing Type : National	Sub-Status : 210/310 - Filed Applia	Agent :
Filing #:	SubStat Dt : 04/02/1998	Agt Ref #:
Conversion :		Dev. Atty : ART Assignment :
Parent City : WO	1st Filed : 10/28/1996	Resp. Atty: ART Claims : 20
Parent # : PCT/GB97/02940	Parent Dt : 10/27/1997	Work. Atty: ART Paralegal :
Application # : 09/269518	Filed Dt : 04/02/1999	Expires :
Patent # :	Grant Dt :	Next Tax :
Publication # :	Pub Dt :	Tax Base :

Title : FAN ROTOR

Pending Actions :

Action Due	Due Date	IP Clerk 1	IP Clerk 2	Action Notes
Initial Search Statement Date	07/22/1999			
STATUS-FILING RECEIPT?	10/02/1999			
STATUS-REJECTION RESPONSE?	10/02/2000			

Taken Actions (awaiting confirmation) :

Action	Taken	Due Date	IP Clerk 1	IP Clerk 2	Action Notes
SMALL ENTITY STATUS	07/01/1999				

Completed Actions :

Action	Completed	Taken	Due Date	IP Clerk 1	IP Clerk 2	Action Notes
Notice of Missing Parts Filed	07/02/1999	07/01/1999	07/01/1999			
Notice of Missing Parts Mail Date	06/01/1999		05/01/1999			
NATIONAL APPLICATION HAS BEEN	04/02/1999	04/02/1999	04/03/1999			
Preliminary Amendment	04/02/1999	04/02/1999				
No Foreign Filing	10/28/1998					

User Text :

Other Code : Other # :

Inventors : Fenner, David

I-Pam System

DOCKET NO.: 34723 00006/Amb
SERIAL NO.: 09/667 518
FILED: APRIL 2, 1999
APPLICANT: DAVID FERNANDEZ ET AL

The Patent & Trademark Office acknowledges receipt of, and
has stamped hereon the date of receipt of, the items checked
below, which were mailed on: June 7, 2000

- Affidavit
 Appeal Notice
 Application: Cover Sheet (pages) Specification (pages)
Claims: (pages) Total Claims Inde. Claims
Abstract (pages) oath _____ Declaration _____
 Sheets of Drawing(s). Formal _____ Informal _____
 Assignment and Recordation Cover Sheet
 Brief
 Declaration () w/ Power of Attorney
 Inform Disclosure Stmt Form 1449 (with references)
 Issue Fee - Base/Balance Fee for Advance Copies)
 Letter
 Letter, Transmittal
 Letter (Change Deposit Account #1286/)
 Petition _____
 Power of Attorney
 Preliminary Amendment
 Request for Extension of Time
 Response to _____

 Specimens _____
 Trademark/Service mark Application (pages)
 Verified Statement of Small Entity Status - Indep Inventor
 Verified Statement of Small Entity Status - Small Business
 Check # In the amount of \$ _____
 Check # In the amount of \$ _____
 Other: PETITION TO ADDITIONAL HOLDING OF
 Other: ATTACHMENT

Express Mail # EL 596 200659 4S

526 REC'D PCT/PTO 08 JUL 2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Patent Cooperation Treaty
Legal Office

Address: Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

27 OCT 2000

A.M. (Andy) Arismendi, Jr.
LUNDEEN & ARISMENDI, LLP
P.O. Box 131144
Houston, Texas 77219-1144

In re Application of
David Peter FENNER, et al.
Application No.: 09/269,518
PCT No.: PCT/GB97/02940
Int. Filing Date: 27 October 1997
Priority Date: 28 October 1996
Attorney Docket No.: 34703.00006
For: FAN ROTOR

DECISION ON
PETITION
UNDER 37 CFR 1.10(e)

This is in response to the "PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT" filed 03 July 2000 and to the communication filed by facsimile on 22 September 2000. Both communications are being treated as a petition under 37 C.F.R. 1.10(e) to accept copies of the papers filed with the petition as being filed originally on 01 July 1999. The petition is GRANTED as follows:

No petition fee is necessary.

37 CFR 1.10(e) provides:

(e) Any person mailing correspondence addressed as set out in § 1.1(a) to the Office with sufficient postage utilizing the "Express Mail Post Office to Addressee" service of the USPS but not received by the Office, may petition the Commissioner to consider such correspondence filed in the Office on the USPS deposit date, provided that:

- (1) The petition is filed promptly after the person becomes aware that the Office has no evidence of receipt of the correspondence;
- (2) The number of the "Express Mail" mailing label was placed on the paper(s)

Serial No. 09/269,518

Page 2

or fee(s) that constitute the correspondence prior to the original mailing by "Express Mail";

(3) The petition includes a copy of the originally deposited paper(s) or fee(s) that constitute the correspondence showing the number of the "Express Mail" mailing label thereon, a copy of any returned postcard receipt, a copy of the "Express Mail" mailing label showing the "date-in," a copy of any other official notation by the USPS relied upon to show the date of deposit, and, if the requested filing date is a date other than the "date-in" on the "Express Mail" mailing label or other official notation entered by the USPS, a showing pursuant to paragraph (d)(3) of this section that the requested filing date was the date the correspondence was deposited in the "Express Mail Post Office to Addressee" service prior to the last scheduled pickup for that day; and

(4) The petition includes a statement which establishes, to the satisfaction of the Commissioner, the original deposit of the correspondence and that the copies of the correspondence, the copy of the "Express Mail" mailing label, the copy of any returned postcard receipt, and any official notation entered by the USPS are true copies of the originally mailed correspondence, original "Express Mail" mailing label, returned postcard receipt, and official notation entered by the USPS.

All of the requirements under 37 CFR 1.10(e) have been submitted. The petition was filed promptly after applicants became aware that the Office had no evidence of receipt of the response to the Notification of Missing Requirements of 01 June 1999. The "Express Mail" mailing label submitted with the petition indicates a stamped date and date-in of 01 July 1999 and bears the same "Express Mail" mailing label number (i.e. "Express Mail" label No. EL357877986US) that appears on the originally deposited Response to Notice to File Missing Parts. The petition is also accompanied by a return postcard receipt showing the communication to have been received in the USPTO on 02 July 2000. Applicants' communication of 22 September 2000 states that "the copies included in the Petition to Withdraw Holding of Abandonment filed July 3, 2000 are true and accurate copies of the Response to the Notification of Missing Requirements filed on July 1, 1999." Accordingly acceptance of papers submitted with the petition as being filed 01 July 1999 is appropriate and the Notification of Abandonment of 27 March 2000 is hereby VACATED.

For the reasons above, the petition under 37 CFR 1.10(e) is GRANTED.

Accordingly, the following items filed 03 July 2000 will be treated as filed on 01 July 1999: 1) response to Notice to File Missing Part, 2) executed declaration; 3) completion fees; and 4) Statement Claiming Small Entity Status.

Serial No. 09/269,518

Page 3

A review of the application file reveals the following:

a) The declaration filed 01 July 1999 is not properly executed and therefore is not in compliance with 37 CFR 1.497. No specification was attached to the declaration as mentioned by applicants therein. Also the declaration does not identify the citizenship of each inventor.

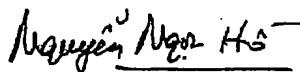
b) The statement claiming small entity status submitted on 02 April 1999 was not signed, therefore applicants were required to pay the full basic national fee of \$840.00 by 28 April 1999 to avoid abandonment of the application. Since one half of that amount was paid, the remaining portion will be charged to Deposit Account No. 10-0447 as authorized in the Transmittal Letter of 02 April 1999.

The application is being returned to the United States Designated/Elected Office for processing in accordance with this decision, that is a) for charging \$420 to Deposit Account No. 10-0447, and b) for issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) to inform applicants that an oath or declaration in compliance with 37 CFR 1.497 must be submitted in order to avoid abandonment of the application as to the national stage in the United States.



Boris Milef
PCT Legal Examiner
PCT Legal Office

NNH/BM:hn


Nguyễn Ngọc Hô

Nguyễn Ngọc Hô
Paralegal Specialist
PCT Legal Office

Tel: (703) 308-6508

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION:		DOCKET NO.: 34703.00006
INVENTOR(S):		
David Fenner		
Christopher Lack		
SERIAL NO.: 09/269,518		
FILED: April 2, 1999		
FOR: Fan Rotor		
	§§§§§§§§§§§§§§	
		GROUP ART UNIT: (unknown)
		EXAMINER: (unknown)

**REVOCATION OF POWERS OF ATTORNEY AND
NEW POWER OF ATTORNEY**

The Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Dear Sir:

We, the undersigned applicants, hereby revoke any and all previous power(s) of attorney previously given in this case, and hereby appoint, Daniel N. Lundeen, Reg. No. 31,177, A.M. (Andy) Arismendi, Jr., Reg. No. 31,715 and Tim W. Curington, Reg. No. 45,944, of Lundeen & Arismendi, L.L.P., P.O. Box 131144, Houston, Texas 77219-1144, Telephone (713) 652-2555, Facsimile (713) 652-2556, as our attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

A.M. (Andy) Arismendi, Jr.
Lundeen & Arismendi, L.L.P.
P.O. Box 131144
Houston, TX 77219-1144
Telephone: (713) 652-2555
Facsimile: (713) 652-2556

Date 21st Sept., 2000

Date: 24th feb^x, 2000

David Fenner
David Fenner
Christopher Lack
Christopher Lack

EXHIBIT 3

Papers submitted 15 June 2001 with Return Postcard:

1. Copy of Notification of Missing Requirements (mailed 15 March 01).
2. Response to Notification of Missing Requirements (Express Mail EL 677 098 461 US) with one-month extension of time.
 - I. Declaration & Power of Attorney
 - II. Statement Claiming Small Entity Status
 - III. Return Postcard

U9/269518

INTELLECTUAL PROPERTY

MAR 20 2001

JENKENS & GILCHRIST



UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 Address ASSISTANT COMMISSIONER FOR PATENTS
 Box PCT
 Washington, D.C. 20231

U.S. APPLICATION NO. 518	FENNER	FIRST NAMED APPLICANT	PTV. DOCKET NO. 34703-00006
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ALAN R THIELE
 JENKENS & GILCHRIST
 3200 FOUNTAIN PLACE
 1445 ROSS AVENUE
 DALLAS TX 75202

5611.

INTERNATIONAL APPLICATION NO.

PCT/GB97/02940

LA. FILING DATE

PRIORITY DATE

10/27/97 10/03/96
03/15/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:
 - a Designated Office (37 CFR 1.494),
 - an Elected Office (37 CFR 1.495);
 - U.S. Basic National Fee.
 - Copy of the International application in:
 - a non-English language.
 - English.
 - Translation of the International application into English.
 - Oath or Declaration of inventors(s) for DO/EO/US.
 - Copy of Article 19 amendments.
 - Translation of Article 19 amendments into English.
 - The International Preliminary Examination Report in English and its Annexes, if any.
 - Translation of Annexes to the International Preliminary Examination Report into English.
 - Preliminary amendment(s) filed 02/02/1997 and _____.
 - Information Disclosure Statement(s) filed _____ and _____.
 - Assignment document.
 - Power of Attorney and/or Change of Address.
 - Substitute specification filed _____.
 - Statement Claiming Small Entity Status.
 - Priority Document.
 - Copy of the International Search Report and copies of the references cited therein.
 - Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
 - a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(l)).
 - c. Oath or declaration of the inventor, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875

LAWSON HENDER

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 355-7777/7788

(703) 355-8863

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence and the documents identified as enclosed therein are being deposited with the United States Postal Service on this date, June 15, 2001, by Express Mail (Express Mail Label No. EL677098461US), addressed to the Commissioner for Patents, Box PCT, Washington, D.C. 20231.

Susan B. Jones
Signature

Susan B. Jensen
Printed Name

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE NATIONAL STAGE APPLICATION OF
David Fenner et al.
FILED: April 2, 1999
TITLE: Fan Rotor
APPLICATION NO.: 09/269,518
ATTY. DKT. NO.: 34703.00006

Commissioner of Patents
Washington, D.C. 20231

EL677098461US

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Sir:

In response to the Notification of Missing Requirements mailed March 15, 2001 for the above-identified matter, Applicants out of an abundance of caution file herewith the following documents:

1. Declaration and Power of Attorney executed May 30, 2001.
 2. Surcharge under 37 CFR 1.492(e) of Sixty-five Dollars (\$65.00). The Commissioner for Patents is authorized to charge this surcharge fees associated with this communication or credit any overpayment to Deposit Account No. 501285/AMA/34703.00006.

PETITION FOR EXTENSION OF TIME

Applicants respectfully request a two-month extension of time to and including June 15, 2001, for responding to the Notification of Missing Requirements mailed March 15, 2001, with a shortened statutory period ending April 15, 2001. In accordance to 37 CFR § 1.136(a) and 37 CFR § 1.17(a)(2), a One Hundred Ninety-five Dollars (\$195.00) (small entity status) extension fee is included with this request. The Commissioner for Patents is authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 501285/AMA/34703.00006.

SMALL ENTITY STATUS

Applicants claim small entity status. Additionally, Elta Fans Limited the assignee of the present application also claims small entity status. A true and accurate copy of the Verification of Small Entity Status previously filed July 1, 1999 is filed herewith.

REQUEST FOR REFUND

Applicants request a refund of the surcharge and extension fees paid as a result of this filing.

Please note that Applicants had previously filed a response to a Notification of Missing Requirements dated mailed June 1, 1999, which included an executed Declaration and Power of Attorney executed May 25, 1999, Verified Statement Claiming Small Entity Status and the Surcharge under 37 CFR 1.492(e). A copy of each of these documents and check together with a copy of the returned postcard were provided as part of the Petition to Withdraw a Holding of Abandonment filed July 3, 2000, which was granted based on the documentation provided by the Decision dated November 2, 2000. An additional copy of these documents was provided by facsimile on March 30, 2001 per request of Mr. Lamont Hunter.

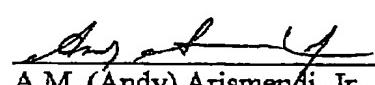
The Declaration and Power of Attorney executed May 30, 2001 reflects the Applicants current representation by counsel of our firm, rather than representation by Applicants prior counsel.

CONCLUSION

In any event, Applicants await their official filing receipt and request that examination proceed on the present application.

Should any fees be due, please charge or credit Deposit Acct. No. 501285/AMA/34703.00006.

Respectfully submitted by,


A.M. (Andy) Arismendi, Jr.
Reg. No. 31,715

A.M. (Andy) Arismendi
Lundeen & Arismendi, LLP
1700 West Loop South, Ste. 1230
Houston, TX 77027
Telephone: 713-652-2555
Facsimile: 713-652-2556

DECLARATION AND POWER OF ATTORNEY

As below named inventor(s), we hereby declare that

Our residence, post office address, and citizenship are as stated below next to our name.

We believe we are the original, first and sole inventor(s) of the subject matter which is claimed and for which a patent is sought on the Invention entitled: Fan Rotor, the specification of which:

- was filed on: April 2, 1999, as National Stage Application Serial No.09/269,518 and amended on April 2, 1999 (Preliminary Amendment).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S):

<u>Priority Claimed</u>	<u>Number</u>	<u>Country</u>	<u>Date Filed</u>
Yes	9622361.5	Great Britain	28 October 1996

We hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) or PCT International applications designating the United States of America listed below, and, Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or prior PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/GB97/02940 27 October 1997 (Status)
(PCT Int'l Appl'n Serial No.) (Filing Date)

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, with full power of substitution and revocation:

Name	Registration No.	Address Telephone Cells and Correspondence to:
Daniel N. Lundeen	31,177	A.M. (Andy) Arismendi, Jr. Lundeen & Arismendi, L.L.P. P.O. Box 131144 Houston, Texas 77219-1144 (713) 652-2555
A.M. (Andy) Arismendi, Jr.	31,715	
David B. Dickinson	47,525	

We hereby declare that all statements made of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FIRST NAMED INVENTOR'S FULL NAME: David Fenner

FIRST NAMED INVENTOR'S SIGNATURE: David Fenn

Date: 30TH MAY 2001

CITIZENSHIP: UK

RESIDENCE ADDRESS: Beeches, Durley Brook Road, Durley, Southampton, Hampshire, SO32 2AR

POST OFFICE ADDRESS: same as above

ADDITIONAL JOINT INVENTOR(S) LISTED ON ATTACHED SHEET: Yes No

FIRST NAMED INVENTOR'S FULL NAME: Christopher Lack

FIRST NAMED INVENTOR'S SIGNATURE: Christopher Lack

Date: 30th May 2001

CITIZENSHIP: UK

RESIDENCE ADDRESS: 84 Woodham Park Road, Woodham Nr. Weybridge, Surrey, KT15 3SP

POST OFFICE ADDRESS: same as above

Declaration

-2-

Approved for use through 09/30/2000, OMB 0651-003
 Under the Paperwork Reduction Act, no persons are required to respond to a collection of information unless it displays a valid OMB control number
 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN

Docket Number (Optional)
 34703-00006

Applicant, Patentee, or Identifier: David Fenner, et al.

Application or Patent No.: 09/269,518

Filed or Issued: April 2, 1999

Title: FAN ROTOR

I hereby state that I am

- the owner of the small business concern identified below.
- an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Elta Fans Limited

ADDRESS OF SMALL BUSINESS CONCERN 15 Barnes Wallis Road, Segensworth
 East Industrial Estate, Fareham, Hants PO155BT

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- the specification filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.
- each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING David Peter Fenner

TITLE OF PERSON IF OTHER THAN OWNER Engineering Director

ADDRESS OF PERSON SIGNING Beeches, Durley Brook Road, Durley, Southampton
 Hants, SO32 2AR U.K.

SIGNATURE David Peter Fenner DATE 25-5-99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DOCKET NO.: 34703-556

SERIAL NO.: 09/763,518

FILED: APR 17 1997

APPLICANT: [REDACTED]

The Patent & Trademark Office acknowledges receipt of, and has stamped hereon the date of, receipt of the items checked below, which were mailed on:

- Affidavit
 Appeal Notice
 Application Cover Sheet (pages) Specification (pages)
Claims: (pages) Total Claims _____ Ind. Claims _____
Abstract (pages) Oath _____ Declaration _____
 Sheets of Drawing(s) Formal _____ Informal _____
 Assignment and Recordation Cover Sheet
 Brief
 Declaration (w/ Power of Attorney)
 Informal Disclosure Stmt Form 1449 (with references)
 Issue Fee Base/Balance: Fee for Advance Copies
 Letter
 Letter Transmittal
 Letter (Charge Deposit Account 501285) _____
 Petition
 Power of Attorney
 Preliminary Amendment
 Request for Extension of Time
 Response to USPTO Action(s) (check one)

 Specimens
 Trademark/Service mark Application (pages)
 Verified Statement of Small Entity Status - Indep Inventor
 Verified Statement of Small Entity Status - Small Business
 Check # in the amount of \$
 Check # in the amount of \$
 Other: _____
 Other: _____

Express Mail # 667709876105